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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------------------------|-------------|----------------------|---------------------|------------------|
| 09/730,574 | 12/07/2000 | Noriko Kawasaki | 35.C14985 | 9629 |
| 5514 | 7590 | 12/29/2005 | EXAMINER | |
| FITZPATRICK CELLA HARPER & SCINTO | | | GARCIA, GABRIEL I | |
| 30 ROCKEFELLER PLAZA | | | ART UNIT | |
| NEW YORK, NY 10112 | | | PAPER NUMBER | |

2624

DATE MAILED: 12/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/730,574

Applicant(s)

KAWASAKI ET AL.

Examiner

Gabriel I. Garcia

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4 and 10-14 is/are rejected.
- 7) ☐ Claim(s) 5-9 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-4 and 10-14 are rejected under 35 U.S.C. 102(b) as being anticipated by Harada et al. (EP0522754A2).

With regard to claim 1, Harada et al. teaches an apparatus having a carriage (6) to which a head member is mounted (see fig. 1) , comprising: a toothed belt (13) extends between a driving pulley (13) and an idler puller (12) and to which the carriage is attached (see figs. 1 and 4); preventing means (17 and 18) having a jumping preventing surface (17 and 18) disposed at a position where said jumping preventing surface is opposed to a back surface of said toothed belt in the vicinity of said driving pulley and adapted to prevent an idle rotation of said driving pulley with respect to said toothed belt (see figs 1-4) .

With regard to claim 2, Harada et al. teaches said driving pulley is rotatably driven by a driving motor (see figs. 1 and 4).

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With regard to claim 3, Harada et al teaches wherein said idler pulley is elastically biased by a tension spring in order to apply tension to said toothed belt (e.g. col. 4, lines 1-27).

With regard to claim 4, Harada et al. teaches wherein said preventing means are opposed to a portion of said toothed belt to which said carriage is attached (see figs. 1 and 4.

With regard to claim 10, Harada et al. teaches wherein said head member comprising recording head for effecting recording on a recording material (see fig. 2 and col. 4).

With regard to claim 11, Harada et al. teaches wherein said recording head is an ink jet recording head for effecting the recording by discharging ink from a discharge port (e.g. col. 4, lines 31-57).

With regard to claim 12, Harada et al. teaches wherein said recording head has an electrical/thermal converter for generating thermal energy used for discharging the ink (e.g. col. 4, lines 31-57).

With regard to claim 13, Harada et al. teaches wherein said recording head discharges the ink from said discharge port by utilizing film boiling caused in the ink by thermal energy generated by said electrical/thermal converter (e.g. col. 4, lines 31-57).

With regard to claim 14, Harada et al. teaches wherein said head member comprises a reading head for reading information on an information holding medium (e.g. see fig. 2 and 4 and col. 4, lines 31-57).

Conclusion

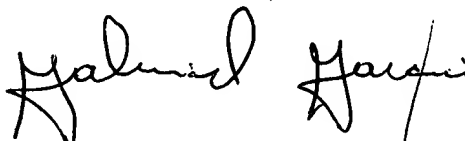
2. Claims 5-9 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. The prior art of record does not teach an apparatus having a carriage to which a head member is mounted with the details as described in claims 5-9.

3. Applicant's arguments with respect to pending claims*** have been considered but are moot in view of the new ground(s) of rejection.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Gabriel I. Garcia** whose telephone number is (571) 272-7434. The examiner can normally be reached Monday-Thursday from 7:30 AM-6:00 PM. The fax phone number for official or informal faxes for this group is (571) 273-8300

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (571) 272-2600.

Gabriel I. Garcia
Primary Examiner
December 20, 2005



GABRIEL GARCIA
PRIMARY EXAMINER